



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(s): J. Pirkola et al.

SERIAL NO.: 10/027,895

ART UNIT: 2681

FILING DATE: 12/19/2001

EXAMINER: Ramos
Feliciano,
E.

TITLE: CONTEXT-BASED CHECKING METHOD AND ARRANGEMENT
FOR COMMUNICATIONS, A COMMUNICATIONS NETWORK
AND A TERMINAL OF A COMMUNICATIONS NETWORK

ATTORNEY

DOCKET NO.: 413-010762-US (PAR)

DECLARATION UNDER 37 C.F.R. 1.131

We Jani PIRKOLA, Jani MANTYJARVI and Urpo TUOMELA, the inventors of the above identified United States patent application (hereinafter, present application), hereby declare that:

We conceived the invention set forth in the claims of said present application in Finland, which is a WTO country, at a time prior to November 30, 2000, which date is the U.S. filing date of Tuomela (US Patent Application Publication 2001/0031633, hereinafter referred to as Tuomela) used by the examiner in rejecting claims of said present application under 35 U.S.C. 102 and 103 as set forth in an Office Action dated September 22, 2004.

Said invention is disclosed in the text and figures of a patent application (Finnish application) filed in Finland on December 21, 2000 and identified by application number 20002814.

BEST AVAILABLE COPY

Said present application claims priority, under 35 U.S.C. 119, of said Finnish application.

A certified copy of said Finnish application written in the Finnish language, and a certified translation thereof written in the English language were filed in the United States Patent and Trademark Office, accompanying the papers in the filing of said present application, and accordingly, the Finnish application and its translation have not been attached hereto as an exhibit.

The textual portion and the figures of said Finnish application describing said invention have been in existence from a time prior to November 30, 2000.

Jukka Määttä who worked in Oulun Patenttitoimisto Oy Ab (a business name of Berggren Oy Ab which itself is an independent Finnish Company), received an assignment from Nokia Mobile Phones Limited (Nokia), which is the assignee of said present application, to draft and to file a patent application on behalf of Nokia.

During the period extending from a time prior to November 30, 2000 until December 21, 2000, Jukka Määttä attended to the performance of tasks in Finland relating to the filing of the Finnish application, these tasks including the describing of details of the technical implementation of said invention and the drafting of claims describing said invention.

We believe that the description set forth in said textual portion and said figures of said Finnish application show conception of said invention at a time prior to November 30, 2000, and that said tasks performed by Jukka Määttä during said

BEST AVAILABLE COPY

period extending from the time prior to November 30, 2000 until December 21, 2000 with the filing of the Finnish application on December 21, 2000 followed by the subsequent filing of said present application on December 19, 2001 claiming priority in the Finnish application show diligence from the time prior to November 30, 2000 until the filing of said present application.

We believe that the description set forth in said text and said figures of said Finnish application show conception of said invention at a time prior to November 30, 2000, and that said tasks performed by Jukka Määttä during said period extending from the time prior to November 30, 2000 until December 21, 2000 with the filing of the Finnish application on December 21, 2000 followed by the subsequent filing of said present application on December 19, 2001 claiming priority in the Finnish application show diligence from the time prior to November 30, 2000 until the filing of said present application.

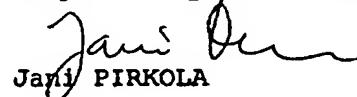
And we believe further that this showing of conception prior to the filing date November 30, 2000 of Tuomela with diligence until the filing of said present application overcomes the aforementioned rejection under 35 U.S.C. 102 and 103 so as to secure allowance of the claims in said present application.

We declare further that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may

BEST AVAILABLE COPY

jeopardize the validity of this application or any patent issued thereon.

Respectfully submitted,

 11.1.2005, Oulu
Jani PIRKOLA

 11.1.2005, Oulu
Jari MÄNTYJÄRVI

 11.1.2005, Oulu
Urpo TUOMELA

BEST AVAILABLE COPY